

**LOWERY BROS. INFINITI INC. d/b/a INFINITI  
OF SYRACUSE,**

*Plaintiff,*

**ORDER TO SHOW CAUSE  
TO SEAL RECORDS**

Index No. **13cv1258**

-vs-

**INFINITI DIVISION OF NISSAN NORTH AMERICA,  
INC.,**

*Defendant.*

Upon the reading and filing of the Verified Complaint dated September 27, 2013, the Affidavit of Gary P. Lowery, sworn to September 26, 2013, with exhibit, and the arguments of counsel for Plaintiff herein, it is hereby

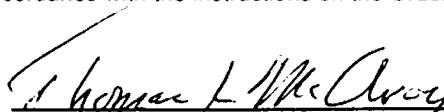
**ORDERED**, that Defendant show cause, at a Motion Term of this Court to be held at the U.S. District Court, 15 Henry St., Binghamton NY  
~~Onondaga County Courthouse, 401 Montgomery Street, Syracuse, New York~~, on the 25th day of October, 2013, at 10:00 o'clock in the forenoon, or as soon thereafter as counsel can be heard, why a further Order should not be entered under ~~Uniform Rules for New York State Trial Courts~~  
~~Section 216~~ sealing the record of this matter and it is hereby

**ORDERED**, that until the final determination of Plaintiff's application, and the entry and service of an Order on that motion, the record of this matter is temporarily sealed and documents herein shall be filed under seal, and it is hereby further

**ORDERED**, that service of a copy of this Order and of the papers upon which the same is granted upon the Defendant, by overnight mail to Jeffrey Harris, Regional Vice President, c/o Infiniti, East Region, 1501 Cottontail Lane, Somerset, New Jersey 08873 on or before October 11, 2013 shall be deemed good and sufficient service thereof; and it is hereby further

**ORDERED**, that answering papers, if any, shall be served and filed by Defendant so as to be received, in hand, by counsel for Plaintiff no later than 9:00 a.m. on October 21, 2013 ~~\_\_\_\_\_ days before the return date of this Show Cause Order and that reply papers, if any, shall be served by so as to be received, in hand, by counsel for Defendant no later than \_\_\_\_\_ days before the return date of this Show Cause Order.~~ This Order shall also be e-mailed to Defendant's counsel in accordance with the instructions on the Order to Show Cause and Temporary Restraining Order.

**DATED:** October 10, 2013  
Binghamton NY

  
Hon. Thomas J. McAvoy, SUSDJ